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FM AMEMBASSY KHARTOUM
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3170
INFO RUCNFUR/DARFUR COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
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UNCLAS SECTION 01 OF 03 KHARTOUM 000309

DEPT FOR AF A A/S CARTER, AF/SPG, AF/E, DRL
NSC FOR MGAVIN AND HUDSON
DEPT PLS PASS USAID FOR AFR/SUDAN
ADDIS ABABA ALSO FOR USAU

SENSITIVE
SIPDIS

E.O. 12958: N/A
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SU
SUBJECT: GENERALLY CALM REACTIONS TO ICC ARREST WARRANT FOR
PRESIDENT BASHIR AND EXPULSION OF INGOS

REF: KHARTOUM 306

KHARTOUM 00000309 001.2 OF 003

1. (SBU) SUMMARY: Immediately following the March 4 announcement that the International Criminal Court (ICC) had issued an arrest warrant against President Omar al Bashir for war crimes and crimes against humanity, Embassies reached out to a range of contacts for a sampling of reactions. Most evinced a cautious, "wait and see" attitude to the situation. NCP-affiliated contacts justified the expulsion of international humanitarian NGOs and argued for a UNSC Article 16 suspension of the indictment. Darfur IDPs are worried at what the NGO expulsion will mean for humanitarian assistance. Separately, the family of Islamist leader Siddiq Al-Turabi report that he is alive and in reasonably good condition in custody in Port Sudan. END SUMMARY.

SPLM Considering Its Options

2. (SBU) Yasser Arman, Deputy Secretary of the SPLM for the Northern Sector, told poloff that First Vice President Salva Kiir arrives in Khartoum to meet with GNU President Bashir March 5 to discuss the expulsion of international humanitarian NGOs from Sudan (reftel). Arman added that the SPLM would participate in a Crisis Management Meeting on Friday, March 6 and would hold meetings with their representatives in South Darfur state. CDA Fernandez will meet with Arman March 6 for a read-out on these meetings. Democratic Process Will Stay on Track

3. (SBU) According to National Election Commission Deputy Chairman Abdalla Abdalla, it is "very difficult" to have a clear picture now about what will happen next. He opined that the GoS has received the announcement of the arrest warrant of Al-Bashir "quietly," and while there were some anti-ICC demonstrations, he doesn't think that they will continue. Abdalla characterized the GoS' work now as a "diplomatic and political struggle" to try and persuade the UNSC to postpone action on the arrest warrant. He emphasized that a quick decision (rather than a long, drawn-out debate) by the UNSC on an Article 16 postponement is important for the stability of the state.

4. (SBU) With regard to the 2009 elections, Abdalla said that VP Taha stated in a press conference on 5 March that elections should proceed normally without interference or disruption. According to Abdalla, Taha also said that the issuance of the warrant does not mean that the GoS will seek to delay or cancel elections (nor the peace process in Darfur nor economic development.) From the NEC Deputy Chairman's perspective, "I don't see that this [the issuance of the warrant] will cause any interference" in our election preparations, but this also depends on how other governments, and in

particular ICC signatories, will react to the ICC's decision."

International Electoral Assistance Not in Danger

15. (SBU) Abdalla said that, according to Taha, the GoS has documentary evidence that the 13 NGOs that it expelled were working with the ICC. "People believe they were working outside their normal agenda," Abdalla explained. When poloff asked Abdalla if he was concerned that NGOs currently working with the NEC (such as the USAID-funded IFES, Bearing Point, and others) could suffer the same fate, he said no. He added that the NEC has a "very positive" meeting with the Minister for International Cooperation March 5 to discuss how the GoS could "ease" the process of these groups' (i.e., donors' implementing partners working on elections such as IFES, NDI, IRI, etc.) ability to work with the NEC (i.e. - help facilitate their registration, work permits, etc). He said that the Minister was amenable to the NEC's suggestions on how to do so. (Bio note: Abdalla Abdalla attended UC Davis in the 1960s. He was Sudan's Ambassador to the U.S. in the early 1990s. He was also Governor of the Northern Region in the late 1990s, after returning to the Sudan. End note.)

16. (SBU) Professor Abdalla Idris, Co-Chairman of the National Constitutional Review Commission termed the timing of the arrest warrant "unfortunate," particularly because of what Idriss characterized as recent progress on CPA implementation and the Darfur peace process. According to Idris, the best way forward now is for the UNSC to suspend the action of the warrant. "Implementation of the CPA and the peace process in Darfur is more essential right now" than the issuance of the warrant, he said. Sudan "is in a state of nation-building; if the central government ceases to exist, it will be a nightmare for everyone - the West, us, and our neighbors; this could happen." Sudan is already in a very delicate situation and it does not need to be inflamed. "We will have to wait and see what happens next," he said.

KHARTOUM 00000309 002 OF 003

Darfur Quiet, But IDPs Worried at NGO Expulsions

17. (SBU) Authorities maintained a relative quiet in all three major Darfur cities following the March 4 announcement, with students and government workers leading limited, controlled protests in El Fasher, Nyala and El Geneina March 4 and 5, in addition to a large military presence on the streets. According to UNAMID, on March 4 the Wali of North Darfur addressed a gathering of protestors and took pains to point out that UNAMID's mandate in Darfur was separate from the aims of the ICC. IDP leaders succeeded in discouraging their constituents from celebrating the ICC announcement publicly, but civil society sources indicated that the GOS decision to curtail the operations of major INGOs could disrupt the tentative balance of peace among Darfuri IDPs. Idris Yousif, leader of the Fur Shurra Council, cautioned that a "catastrophe" could ensue if the GOS ceased the operations of the major INGOs. Osman Abelmawia, a lawyer and IDP advocate in Nyala, South Darfur, described IDPs as "happy but quiet" in the wake of the announcement, but said that as IDPs were just beginning to learn of the expulsion decision, and their reaction could spark unrest in camps that are normally quiet.

18. (SBU) Emboff spoke with Ahmed Abu Basher, umda (traditional leader) in Abu Shouk IDP camp outside of El Fasher, North Darfur, who said that camp leaders met on the afternoon of March 5 to consider organizing a protest in El Fasher, taking their concerns directly to the HAC offices there to pressure the GOS mechanism into reversing the expulsion decision. Instead, the IDP representatives chose to draft a letter of formal protest to UNAMID. Ahmed Akim Osman from Al Salaam IDP camp outside of El Fasher worried that the camp will soon be left without a medical clinic, leaving IDPs further marginalized. Describing IDPs as "helpless" as they face new GOS restrictions on humanitarian aid, Osman said that some IDP leaders supported staging a protest, but others successfully counseled against any public reaction, given that GOS authorities had formally warned IDP leaders that anyone who publicly protested following the ICC announcement would be killed.

Southern Kordofan Calm, For Now

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¶9. (SBU) Speaking from his home in Kadugli (the SK state capital), Ibrahim Balandia, Speaker of the Southern Kordofan State Legislature (NCP) said the reaction to the issuance of the arrest warrant in Southern Kordofan was "very calm." This is a political issue that needs to be handled at the national level, according to Balandia. People are supporting Bashir as an act of unity for the country, he said. Balandia said that the NGOs are continuing their work in Southern Kordofan (although he did not seem to be aware that many of those that work there - including Mercy Corps, Save the Children U.S. - have been expelled.) He did say that the NGOs are "helping people," and that we (the Sudanese) should "respect them and protect them." He added that his daughter is employed by Save the Children USA.

¶10. (SBU) Speaking from Khartoum, Sadiq Mansour, Deputy Speaker of the Southern Kordofan State Legislature (SPLM), (who just traveled from SK three days ago) said he has been in touch with his fellow leaders in Southern Kordofan who said that the situation there was "calm." "People are observing what is happening." He attributed the calm among the SPLM Nuba to the SPLM Chairman (Kiir's) statement asking people to react calmly to the arrest warrant issuance.

"I Don't Know What Will Happen Next"

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¶11. (SBU) Mansour said that the NGO expulsion will have a "very big impact" on Southern Kordofan. This decision will "badly affect people in the Nuba Mountains." "This will be a bad situation that will lead to bad consequences." Since the signing of the CPA, many NGOs have operated in Southern Kordofan to provide basic services to the Nuba people and have done a good job. The situation of their expulsion is "very bad and complex," said Mansour. "I don't know what will happen next." He urged the international community to find a way to solve this issue. Mansour also said that the SPLM would discuss this issue (the expulsions) on the highest level (at the Political Bureau). The security situation Sudan-wide is "not okay," right now, it is "serious."

Turabi Alive, Despite Rumors

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¶12. (SBU) Siddiq Al-Turabi told poloff by telephone on March 5 that prison officials in Port Sudan have assured the family that their father, Sudanese opposition leader Hassan Al-Turabi, is still alive after rumors circulated this week that he had died. The family most

KHARTOUM 00000309 003.2 OF 003

recently visited the 77 year-old Islamist and leader of the People's Congress Party (PCP) on Saturday, February 28, and found him to be healthy and adjusting well to the conditions of the prison located near Sudan's Red Sea coast. According to the younger Turabi, the family of Dr. Bashir Adam Rahma, PCP foreign secretary, visited him most recently on Tuesday, March 2, and found Bashir and Turabi to be in good condition. Siddiq Al-Turabi speculated that the false rumor that his father had died had most likely started outside of Khartoum's tight political circle, and said that the family intends to visit their father again this coming Saturday, March 7.

Comment

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¶13. (SBU) Across a range of political and geographic contacts, the attitude is one of watchful waiting. NCP officials are predictably supportive of the government and its response, while the SPLM is considering its options. Sudan generally appears to be in a reactive mode, waiting to see what next steps the international community will take following the ICC announcement and the GOS decision to expel more than 13 NGOs from northern Sudan.

FERNANDEZ